

353 NORTH CLARK STREET, CHICAGO, IL 60654

JENNER & BLOCK LLP

July 8, 2021

Dean N. Panos  
Tel +1 312 923 2765  
dpanos@jenner.com

**VIA ECF**

The Honorable Joanna Seybert  
United States District Judge  
U.S.D.C., Eastern District of New York  
100 Federal Plaza, Courtroom 1030  
Central Islip, NY 11722

Re: *In re Hain Celestial Heavy Metals Baby Food Litigation*, Case No. 2:21-cv-678-JS-AYS  
Request for Consolidation of Related Case

Dear Judge Seybert:

I represent Defendant The Hain Celestial Group, Inc. in the above-referenced action. I write to notify the Court that the action *Smith v. Hain Celestial Group*, Case No. 2:21-cv-3708-JS-AYS, was transferred from the Western District of Missouri to this Court on July 1, 2021. The *Smith* action asserts “consumer protection type claims” against Hain Celestial, and not against any other defendant, that relate to the alleged presence of heavy metals in Hain Celestial’s baby foods. A copy of the complaint is attached as Exhibit A.

Pursuant to the Court’s order consolidating all similar consumer fraud actions against Hain Celestial into a single Consolidated Action (ECF No. 47), Hain Celestial respectfully requests that the *Smith* action—which was transferred to this District following this Court’s consolidation order—be consolidated into the Consolidated Action.

Respectfully submitted,

/s/ Dean N. Panos  
Dean N. Panos